

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JOHN HUGHES,

Movant,

-against-

UNITED STATES OF AMERICA,

Respondent.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 07/01/2020

20-CV-4967 (VEC)

15-CV-0537-17 (VEC)

**ORDER**

VALERIE CAPRONI, United States District Judge:

WHEREAS Mr. John Hughes has petitioned to vacate his judgment of conviction pursuant to *United States v. Davis*, 139 S. Ct. 2319 (2019) and 28 U.S.C. § 2255;

WHEREAS the Court may appoint counsel to represent financially eligible persons in for such purposes if the Court determines “that the interests of justice so require,” 18 U.S.C. § 3006A(a)(2);

WHEREAS Mr. Hughes has previously been determined to be financially eligible, Dkt. 128, and may have a meritorious petition; and


WHEREAS the Court determines that the requirements of 18 U.S.C. § 3006A(a)(2) have been met;

IT IS HEREBY ORDERED THAT Mr. Edward Sapone, who was Mr. Hughes’ previously appointed counsel, is hereby re-appointed, as habeas counsel for Mr. Hughes. No later than **July 24, 2020**, the parties must confer and then inform the Court as to whether the Government intends to oppose Mr. Hughes’ petition. If the Government intends to oppose the petition, the parties must propose a schedule for Mr. Sapone to file an amended petition and for the Government to respond. If not, the parties must propose a date for a hearing to vacate Mr. Hughes’ conviction and any other next steps.

All further papers filed or submitted for filing must include the criminal docket number and will be docketed in the criminal case. A copy of this Order has been mailed to Mr. Hughes by chambers staff.

**SO ORDERED.**

Dated: July 1, 2020  
New York, New York



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VALERIE CAPRONI  
United States District Judge